

### **Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims:**

1-31. (canceled)

32. (new) A substantially purified or isolated nucleic acid or nucleic acid fragment encoding a condensed tannin biosynthetic enzyme selected from the group consisting of chalcone synthase (CHS), CHS-like, dihydroflavonol 4-reductase (BAN), BAN-like, leucoanthocyanidine reductase (LAR) and LAR-like, or a functionally active fragment or variant of such a polypeptide, from a clover (*Trifolium*), medic (*Medicago*), ryegrass (*Lolium*) or fescue (*Festuca*) species.

33. (new) A nucleic acid or nucleic acid fragment according to Claim 32, wherein said nucleic acid or nucleic acid fragment is from white clover (*Trifolium repens*) or perennial ryegrass (*Lolium perenne*).

34. (new) A nucleic acid or nucleic acid fragment according to Claim 32, encoding a CHS polypeptide or CHS-like polypeptide and including a nucleotide sequence selected from the group consisting of (a) sequences shown in Figures 2, 6, 10 and 14 hereto (Sequence ID Nos. 1, 3, 5 and 7, respectively); (b) complements of the sequences recited in (a); (c) sequences antisense to the sequences recited in (a) and (b); and (d) functionally active fragments and variants of the sequences recited in (a), (b) and (c); and (e) RNA sequences corresponding to the sequences recited in (a), (b), (c) and (d).

35. (new) A nucleic acid or nucleic acid fragment according to Claim 32, encoding a BAN polypeptide or BAN-like polypeptide and including a nucleotide sequence selected from the group consisting of (a) sequence shown in Figure 18 hereto (Sequence ID No. 9); (b) complements of the sequence recited in (a); (c) sequences antisense to the sequences recited in (a) and (b); and (d) functionally active fragments and variants of the sequences recited in (a), (b) and (c); and (e) RNA sequences corresponding to the sequences recited in (a), (b), (c) and (d).

36. (new) A nucleic acid or nucleic acid fragment according to Claim 32, encoding a LAR polypeptide or LAR-like polypeptide and including a nucleotide sequence selected from the group consisting of (a) sequences shown in Figures 22, 26 and 30 hereto (Sequence ID Nos. 11, 13 and 15, respectively); (b) complements of the sequences recited in (a); (c) sequences antisense to the sequences recited in (a) and (b); and (d) functionally active fragments and variants of the sequences recited in (a), (b) and (c); and (e) RNA sequences corresponding to the sequences recited in (a), (b), (c) and (d).

37. (new) A construct including one or more nucleic acid or nucleic acid fragments according to claim 32.

38. (new) A construct according to claim 37 including nucleic acids or nucleic acid fragments

encoding both CHS or CHS-like and BAN or BAN-like polypeptides.

39. (new) A construct according to claim 37 including nucleic acids or nucleic acid fragments encoding both CHS or CHS-like and LAR or LAR-like polypeptides.

40. (new) A construct according to claim 37 including nucleic acids or nucleic acid fragments encoding both LAR or LAR-like and BAN or BAN-like polypeptides.

41. (new) A construct according to claim 37 including nucleic acids or nucleic acid fragments encoding all three of CHS or CHS-like, LAR or LAR-like and BAN or BAN-like polypeptides.

42. (new) A construct according to claim 37 wherein the one or more nucleic acids or nucleic acid fragments are operably linked to one or more regulatory elements, such that the one or more nucleic acids or nucleic acid fragments are expressed.

43. (new) A construct according to Claim 42, wherein the one or more regulatory elements include a promoter and a terminator, said promoter, nucleic acid or nucleic acid fragment and terminator being operatively linked.

44. (new) A plant cell, plant, plant seed or other plant part, including a construct according to claim 37.

45. (new) A plant, plant seed or other plant part derived from a plant cell or plant according to Claim 44.

46. (new) A method of modifying one or more selected from the group consisting of condensed tannin biosynthesis; protein binding, metal chelation; anti oxidation; UV-light absorption; pigment production; and plant defence to a biotic stress; in a plant, said method including introducing into said plant an effective amount of a nucleic acid or nucleic acid fragment according to claim 32.

47. (new) A method according to claim 46 wherein said method includes introducing into said plant effective amounts of nucleic acids or nucleic acid fragments encoding both CHS or CHS-like and BAN or BAN-like polypeptides.

48. (new) A method according to claim 46 wherein said method includes introducing into said plant effective amounts of nucleic acids or nucleic acid fragments encoding both CHS or CHS-like and LAR or LAR-like polypeptides

49. (new) A method according to claim 46 wherein said method includes introducing into said plant effective amounts of nucleic acids or nucleic acid fragments encoding both LAR or LAR-like and BAN or BAN-like polypeptides.

50. (new) A method according to claim 46 wherein said method includes introducing into said plant effective amounts of nucleic acids or nucleic acid fragments encoding all three of CHS or CHS-like, BAN or BAN-like and LAR or LAR-like polypeptides.

51. (new) A method according to claim 46 wherein the method is modifying plant defence to biotic stress and the biotic stress is selected from the group consisting of viruses, micro-organisms, insects and fungal pathogens.

52. (new) A method of modifying forage quality of a plant by disrupting protein foam and/or conferring protection from rumen pasture bloat, said method including introducing into said plant an effective amount of a nucleic acid fragment according to claim 1.

53. (new) A method according to claim 52 wherein said method includes introducing into said plant effective amounts of nucleic acids or nucleic acid fragments encoding both CHS or CHS-like and BAN or BAN-like polypeptides.

54. (new) A method according to claim 52 wherein said method includes introducing into said plant effective amounts of nucleic acids or nucleic acid fragments encoding both CHS or CHS-like and LAR or LAR-like polypeptides

55. (new) A method according to claim 52 wherein said method includes introducing into said plant effective amounts of nucleic acids or nucleic acid fragments encoding both LAR or LAR-like and BAN or BAN-like polypeptides.

56. (new) A method according to claim 52 wherein said method includes introducing into said plant effective amounts of nucleic acids or nucleic acid fragments encoding all three of CHS or CHS-like, BAN or BAN-like and LAR or LAR-like polypeptides.

57. (new) A substantially purified or isolated polypeptide from a clover (*Trifolium*), medic (*Medicago*), ryegrass (*Lolium*) or fescue (*Festuca*) species, selected from the group consisting of CHS and CHS-like, BAN and BAN-like and LAR and LAR-like; and functionally active fragments and variants thereof.

58. (new) A polypeptide according to Claim 57, wherein said polypeptide is from white clover (*Trifolium repens*) or perennial ryegrass (*Lolium perenne*).

59. (new) A polypeptide according to Claim 57, wherein said polypeptide is CHS or CHS-like and includes an amino acid sequence selected from the group consisting of sequences shown in Figures 3, 7, 11 and 15 hereto (Sequence ID Nos. 2, 4, 6 and 8, respectively); and functionally active fragments and variants thereof.

60. (new) A polypeptide according to Claim 57, wherein said polypeptide is BAN or BAN-like and includes an amino acid sequence selected from the group consisting of sequence shown in Figure 19 hereto (Sequence ID No. 10); and functionally active fragments and variants thereof.

61. (new) A polypeptide according to Claim 57, wherein said polypeptide is LAR or LAR-like and includes an amino acid sequence selected from the group consisting of sequences shown in Figures 23, 27 and 31 hereto (Sequence ID Nos. 12, 14 and 16, respectively); and functionally active fragments and variants thereof.